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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/322,653	05/28/1999	KIM L. RICHARDSON	6279.002/DHE	8325

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EXAMINER

RIMELL, SAMUEL G

ART UNIT	PAPER NUMBER
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2175

DATE MAILED: 02/04/2004

16

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/322,653

Applicant(s)

RICHARDSON, KIM L.

Examiner

Sam Rimell

Art Unit

2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14, 24-27 and 29-34 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14, 24-27, 29-34 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
- Paper No(s)/Mail Date ____.

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.


SAM RIMELL
PRIMARY EXAMINER

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-14 and 24-27 and 29-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Angels Online in view of Freishtat et al. (U.S. Patent 5,945,989).

The reference entitled Angels Online is a set of screen shots from an operating website located at the Internet address www.angelsonline.com. The reference relied upon by the Examiner is defined by 11 screen shots, with each screen shot page being numbered in the lower right hand corner of the page. Page 1 indicates a copyright date of 1997, and page 2 indicates operation of the website prior to March of 1998. Accordingly, the pages which are relied upon by the Examiner constitute applicable prior art.

Claim 1: The Angels Online reference discloses a main website page (page 1) and a first set of web pages (pages 5-10). The first page of the first set (page 5) is a template page that permits entry of data. A similar set of pages (pages 5-10) can be created for a second obituary and reads as a second set of pages. The second set, like the first set, has at least one template page.

Angels Online differs from claim 1 in that it does not specifically recite the usage of password protections. However, Freishtat et al. teaches that a system may deploy an interface that allows passwords protected editing access (FIGS. 3-4). If a password is provided, the user

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may gain editing access (see 301 in FIG. 3) to specific web pages (FIG. 10 illustrates actions of editing a web page).

It would have been obvious to one of ordinary skill in the art to modify each of the template pages (such as page 5) to have password protected editing access so as to prevent unauthorized additions of changes to funeral websites.

The resulting combination would produce two sets of web pages, with the template pages of each set being password protected by individual passwords. The memorial websites associated with each set (pages 9 or 11 for example) could be freely accessed without passwords.

The time at which the passwords are granted, such as after a funeral is attributed no patentable weight, since it involves a method step. The invention is addressed to an apparatus, not a method.

Claim 2: Page 2 of the Angels Online document defines a Director's Page. The page is accessed from the main website (page 1) using the hyperlink "About Angels Online". From the Director's Page (page 2), a hyperlink (the "back" radio button) will take the user back to the main website page (page 1) from which the user can click the "Submission Form" radio button and access blank templates (pages 5-7).

Claim 3: Each set of web pages includes template pages having blank fields.

Claim 4: See remarks for claim 1.

Claim 5: No patentable weight is attributable to the nature of the individuals who possess passwords. The invention is directed to a website in cyberspace. The nature of the individuals who interact with that website carries no patentable weight.

Claim 6: See page 2 of Angels Online.

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Claim 7: Templates which are not filled out are unassigned.

Claim 8: See remarks for claim 2.

Claim 9: Pages 9-11 are assigned pages and are based on filled out templates.

Claim 10: The assigned pages (pages 9-11) include the names of individuals.

Claim 11: The assigned pages on pages 9 and 11 define a date of birth and a date of death.

Claim 12: Any portion of the content within the assigned pages constitute a funeral announcement.

Claim 13: The assigned pages include biographical narratives.

Claim 14: The unfilled templates are pages 5-7. The filled templates are pages 9-11.

Claim 24: See remarks for claim 1. Each set of pages are a “memorial site corresponding to a deceased person”.

Claim 25: See remarks for claim 1. Each “memorial site” in claim 25 corresponds to a set of web pages described with respect to claim 1.

Claim 26: The website of Angels Online permits multiple users to create multiple memorial sites with individual passwords protections on the editable pages.

Claim 27: Individual passwords may control individual editing of the editable pages 5-7 of Angels Online. Individuals that do not have a password can view the pages 9-11.

Claim 29: See remarks for claim 1. The first and second templates associated with the set of are the pages 5-7 of Angels Online. The pages are password protected as taught by Freishtat et al. The memorial display pages are pages 9-11, and are accessible to the public without passwords.

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Claim 30: See pages 9-11.

Claim 31: The intended physical location of a computer (i.e. funeral home), as well as the nature and occupation of an individual who operates a computer (i.e. funeral director) carries no patentable weight.

Claim 32-34: The nature of individuals (i.e. "family" or "funeral director") who possess a password carries no patentable weight. Any individuals who do possess passwords can access and edit website data via the template pages 5-7 of Angels Online.

Remarks

This office action includes new grounds of rejection and recites prior art that was not previously made of record. Accordingly, this office action is made non-final. Applicant's amendments have overcome the previously applied rejections under 35 USC 112.

Any inquiry concerning this communication should be directed to Sam Rimell at telephone number (703) 306-5626.



Sam Rimell
Primary Examiner
Art Unit 2175